

Minutes of a Regular Meeting of the City Council.
Austin Texas Dec. 2, 1895.

Hon. John M. Donist, Mayor, presiding.

Roll called

Roll called.

Present, Aldermen Asmann, Fischer, Glascock, Hayes, Sinn, Sticksche, Platt, Redd, Robardeau, Shelley, Taylor, Townsend and Warrmoth - 13.

Absent, Aldermen Anderson, Glass, Goeth, Hume, Lawless, Powell, Schneider, Tobin - 8

Council adjourned to
Wednesday Dec. 4 1895 at
8 P.M.

On motion the Council adjourned until 8 O'clock P.M. on Wednesday,
December 11, 1895, by the following vote:

Aye, Aldermen Asmann, Fischer, Glascock, Hayes, Platt, Redd, Robardeau,
Shelley, Taylor, Townsend and Warrmoth - 11.

Nays, Alderman Sticksche. 1

Jno. Johnson
City Clerk.

Number of Patients admitted to Hospital during the month	9
" " " discharged from " " "	7
" " Deaths during the month	1
" " Patients remaining in Hospital December 1st	12
" " Visits made during the month	70
" " Prescriptions " " "	121
" " Cases of Diphtheria reported during the month	1

No other infectious or contagious diseases reported.

The general health has been good.

Referred to Hospital Committee.

By the City Sexton.

Total number of deaths during November 23.

White	19.
Colored	4.
Male	15
Female	8

Referred to the Cemetery Committee.

On motion of Alderman Dinn, the City Attorney was excused from further attendance at this session of the Council.

Alderman Tobin for the Water and Light Commission, presented the following report:

The within petition was considered at a meeting of the Water and Light Commission and on motion it was referred back to the Council with the recommendation that Water be furnished to the people living outside the City limits at the same rate it is furnished within the City, provided they pay the pipe from the City limits at their own expense.

M. J. Olickant
Sec. W and L. Com.

Ald. Taylor offered amendment that the rate be 15% above rate in City limits. Adopted.

Alderman Taylor moved to amend the report by making the rate 15 percent more than charged in City. The amendment was adopted.

The report as amended was then adopted.

Alderman Townsend for the Street Committee presented the following report, which was adopted.

Report of Street Com. on pet. of Citizens to have work done on Sabine St. 7th Ward. Com. recommend that work be done

Austin Texas, Dec. 4th 1895.

To Hon. John M. Donald and City Council:

Gentlemen, Your Committee on Streets and Alleys, to whom was referred the accompanying petition, beg leave to report that they have carefully examined the streets referred to in said petition and recommend that the work be done as soon as practicable. Respectfully submitted.

A. H. Townsend.

J. D. Sticksel. Street Committee

Spil Com. report on claims of J. White for damages to trees destroyed by ordinance...

Alderman Dinn for the special committee to whom was referred the message of the Mayor in the matter of the claims of J. White, presented the following minority report.

To the Hon. Mayor and City Council of the City of Austin.

A minority of your committee, to whom was referred the message of the Mayor with reference to the claims of J. White for damages to trees destroyed by ordinance of the Board of Aldermen of the City of Austin, would desire...

considered the same and we recommend that the vote message of the Mayor be sustained for the following reasons:

We understand that the crop for which damages are claimed was submerged in May 1893. The City holds a release signed by Messrs. W. H. Green, W. H. and J. H. White, dated November 21st 1893. It appears from information furnished this Committee that Mr. White claims damages under a lease from Mr. Cook. The land was submerged in May and the crop destroyed. On the 21st of November, 1893, Mr. Cook, Mr. White and Mr. White, for a consideration named in the lease, released the City from all damages that had then occurred or that might hereafter occur, by reason of the submerging of land for which damages are claimed, incident to the construction of the dam.

If the crop for which Mr. White claims damages was submerged in May, 1893, then it appears to your Committee that his release executed in November following, for a valuable consideration, would be a bar to any claim that he might set up after the destruction of his crop.

Therefore, in view of the facts as stated, your Committee believes that Mr. White has no equitable claim against the City, and we most earnestly recommend that the message of the Mayor vetoing the appropriation to pay same, be sustained. Respectfully submitted,

Henry A. Simm.
P. W. Powell.

Alderman Sawless - moved that the report be referred back to the Committee with instructions to bring in a full report.

Aldermen Soeth and Marmoth appeared in the Council Chamber and answered to their names.

Alderman Fischer, moved as a substitute to the motion of Alderman Sawless that the report lie over until the next meeting of the Council, or until the City Attorney can be present.

Alderman Simm moved as a substitute for the motion of Alderman Fischer, the adoption of the report of the minority of the Committee and sustaining the Mayor's veto, which motion was adopted by the following vote, two-thirds of the Council not voting in the negative:

Yeas Aldermen Cassmann, Kume, Sawless, Simm, Powell, Schneider and Marmoth.

Nays Aldermen Anderson, Fischer, Glass, Sassever, Soeth, Haynes, Kitcher, Platt, Ored, Robydran, Shelley, Taylor, Tobin and Townsend 14.

New Business

By Alderman Fischer. Resolved, by the City Council of the City of Austin, that the final report of the Board of Public Works be printed in full in the Sunday edition of the Daily Statesman.

Alderman Kitcher moved to table the resolution, which motion was lost by the following vote:

Yeas Aldermen Simm, Sassever, Kitcher, Platt, Powell, Ored, Robydran, Schneider and Marmoth 8.

Nays Aldermen Anderson, Cassmann, Fischer, Soeth, Haynes, Kume, Sawless, Simm, Sassever, Taylor, Tobin and Townsend 14.

By Alderman Fischer. Resolved, by the City Council of the City of Austin, that the final report of the Board of Public Works be printed in full in the Sunday edition of the Daily Statesman.

Alderman Kitcher moved to table the resolution, which motion was lost by the following vote:

Mr. Soeth + Marmoth entered Council Chamber

Adoption of St. Louis minority report sustaining Mayor's veto 73rd Council not voting

Resolution by Mr. Fischer to have final report of Board of Public Works printed in full in Sunday edition of Daily Statesman

Yeas Aldermen Simm, Sassever, Kitcher, Platt, Powell, Ored, Robydran, Schneider and Marmoth 8.

Nays Aldermen Anderson, Cassmann, Fischer, Soeth, Haynes, Kume, Sawless, Simm, Sassever, Taylor, Tobin and Townsend 14.

By Alderman Fischer. Resolved, by the City Council of the City of Austin, that the final report of the Board of Public Works be printed in full in the Sunday edition of the Daily Statesman.

Alderman Kitcher moved to table the resolution, which motion was lost by the following vote:

Yeas: Aldermen Glass, Isaacson, Stickschur, Platt, Reed, Robertson, Schneider, Shelton, and Harroth. 9.

Nays: Aldermen Anderson, Asmann, Fischer, Cook, Hayes, Sumner, Sawless, Simm, Powell, Shelley, Taylor and Townsend. 14.

The resolution was then adopted.

Resolution adopted.
Com. on Printing instructed to ascertain cost of certain illustrations and photos of members of Bd. of Public Works.

Alderman Cook moved that the committee on printing be requested to ascertain the cost of certain illustrations and the photographs of the members of the Board of Public Works, to be inserted in pamphlet prepared to be gotten out containing the report of the Board of Public Works, and to report to the meeting of the Council to be held next Saturday night. Adopted.

Mr. Dixon excused

On motion Alderman Tobin was excused from further attendance at this session of the Council.

Ord. 2 or 3 1/2 to 100 to pay of A. V. Dixon.

By Alderman Tobin. An Ordinance appropriating the sum of \$343.12 to pay account of A. V. Dixon for laying pipes.

The ordinance was passed under suspension of the rules by the following vote: Yeas Aldermen Anderson, Asmann, Fischer, Glass, Glascock, Goeth, Hayes, Sumner, Sawless, Simm, Stickschur, Platt, Powell, Robertson, Schneider, Shelley, Taylor, Townsend and Harroth. 19.

Ord. appropriating \$3644.40 to pay W. Sims for pipes furnished

Nays None.
By Alderman Tobin. An Ordinance appropriating the sum of \$3644.40 to pay Walter Sims for pipes furnished.

The ordinance was passed under suspension of the rules by the following vote: Yeas Aldermen Anderson, Asmann, Fischer, Glass, Glascock, Goeth, Hayes, Sumner, Sawless, Simm, Stickschur, Platt, Powell, Robertson, Schneider, Shelley, Taylor, Townsend and Harroth. 19.

Ord. appropriating 5000.00 out of Earnings Fund to pay approved A.C.

Nays None.
By Alderman Tobin. An Ordinance appropriating the sum of \$5000.00 out of the Earnings Fund to pay approved accounts.

The ordinance was passed under suspension of the rules by the following vote: Yeas Aldermen Anderson, Asmann, Fischer, Glass, Glascock, Goeth, Hayes, Sumner, Sawless, Simm, Stickschur, Platt, Powell, Robertson, Schneider, Shelley, Taylor, Townsend and Harroth. 19.

Ord. appropriating \$1836.97 to pay Howard Harrison Iron Co. Bal. due on Water Pipe.

Nays None.
By Alderman Tobin. An Ordinance appropriating the sum of \$1836.97 to pay account of Howard Harrison Iron Company, balance due on Water Pipe.

The ordinance was passed under suspension of the rules by the following vote: Yeas Aldermen Anderson, Asmann, Fischer, Glass, Glascock, Goeth, Hayes, Sumner, Sawless, Simm, Stickschur, Platt, Powell, Reed, Robertson, Schneider, Shelley, Taylor, Townsend and Harroth. 20.

Ord. appropriating \$300.00 for Extra Street Laborers

Nays None.
By Alderman Townsend. An Ordinance appropriating the sum of \$300.00 to pay for Extra Street Laborers.

The ordinance was passed under suspension of the rules by the following vote: Yeas Aldermen Anderson, Asmann, Fischer, Glass, Glascock, Goeth, Hayes, Sumner, Sawless, Simm, Stickschur, Platt, Powell, Reed, Robertson, Schneider, Shelley, Taylor, Townsend and Harroth. 20.

Ord. to be discussed

Nays None.
By Alderman Taylor. An Ordinance appropriating the sum of \$5114.00 to pay...

approved accounts!
The ordinance was passed under suspension of the rules by the following vote:
Yeas Aldermen Anderson, Aspmann, Fischer, Glass, Glascock, Goeth, Hays, Hume,
Lambert, Linn, Nilsch, Platt, Powell, (Roberts), Schneider, Shelly, Taylor, Townsend
and Karmolke. 14.

Yeas 14.
On motion of Alderman Taylor the Council adjourned.

J. S. Robinson
City Clerk

Council adjourned